

DELTA PROTECTION COMMISSION

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Home Page: www.delta.ca.gov*Contra Costa County Board of Supervisors*

August 26, 2010

Sacramento County Board of Supervisors

Members of the California Legislature

State Capitol

Sacramento CA 95814

San Joaquin County Board of Supervisors

Honorable Member of the Assembly:

Honorable Member of the Senate:

*Solano County Board of Supervisors**Yolo County Board of Supervisors*SUBJECT: Delta Protection Commission Update on Primary Zone Study*Cities of San Joaquin County*

Pursuant to the provisions of Senate Bill X7-1 (SBX 7-1) the Delta Protection Commission (Commission) has been given the task of preparing a recommendation regarding the potential expansion of, or change to the Primary Zone or the Delta. Recognizing the legislation called for submittal of a recommendation by July 1, 2010, the Commission is providing herein an update on the status of completing this task. The update also provides acknowledgement of the issues and constraints beyond the control of the Commission that have been a challenge to completing a comprehensive process within the identified time frame.

*Cities of Contra Costa and Solano Counties**Cities of Sacramento and Yolo Counties*

Immediately upon the enactment of SBX 7-1 in February 2010, the Commission (revised as called for in the legislation) appointed a Primary Zone Study Committee (Committee) to oversee the completion of a Primary Zone Study (Study) and the development of a recommendation. The committee is comprised of Commission Members Albright, Cabaldon, Ferguson, Pegos, Piepho, Ruhstaller and Vick. Having committed to monthly meetings in order to give the task utmost priority, the Committee immediately developed a framework to guide the process to completion in as timely manner as possible with the intent of fully meeting the mandates of the legislation.

*Central Delta Reclamation Districts**North Delta Reclamation Districts**South Delta Reclamation Districts**Business, Transportation and Housing**Department of Food and Agriculture*

While SBX 7-1 states that the recommendation was to have been provided to the Legislature by July 1, 2010, the scope of the Study has identified the necessity to ensure effective community outreach for input into the process in order to diligently formulate a recommendation to the standard of expectation set by the Legislature. To produce a Study of this quality and magnitude has required a process timeframe beyond July 1. However, as outlined in the attached Work Plan, the Commission confidently anticipates completing the Primary Zone Study and submitting recommendations to the Legislature no later than December.

*Natural Resources Agency**State Lands Commission*

The extended timeframe for completing the Study has also been necessary to assure that the numerous challenges and constraints within which the Commission and consulting team have had to conduct the process does not compromise development of the most substantiated and justified product possible. Particularly, it is worth noting:

- The legislation took effect in February 2010, calling for completion of the Study within an extremely short time frame in comparison to other studies and reports called for in the legislation. Examples include the Economic Sustainability Plan and the Delta Plan, which are due July 2011 and January 2012 respectively.
- While a substantial amount of the funding needed to support the process has now been secured from the Delta Stewardship Council pursuant to subsequent direction of the Legislature in April, initial funding was not provided to the Commission for the necessary consultant expertise to complete the Study and prepare recommendations for consideration.

Nonetheless, recognizing the importance of the Commission's role in the Delta and in the preparation of the Study and development of recommendations relative to the boundaries of the Primary Zone, accomplishments to date have been significant. Most notably:

- ✓ Selection of a Consultant who has begun work (irrespective of the Commission not having the ability to provide compensation until July);
- ✓ Development of ranking criteria;
- ✓ Identification of Study Areas;
- ✓ Establishment of web outreach;
- ✓ Facilitation of two public workshops;
- ✓ Interviews of those having relative expertise/knowledge;
- ✓ Field work conducted within all of the Study Areas;
- ✓ Preparation of base maps of Study Area resources; and
- ✓ Development of an analysis matrix for Legislative recommendations;

Tasks currently underway in anticipation of the expeditious completion of the Primary Zone Study by December include:

- Ongoing field work and data collection;
- Populating the analysis matrix;
- Finalizing the study area boundary maps;
- Developing GIS data layers;
- Preparing Study Area resource maps;
- Conducting public outreach;
- Preparing preliminary report write-ups; and
- Conducting data review and analysis.

As has been demonstrated thus far, the Commission has given the task of preparing the Study and developing recommendations utmost priority, even in light of having to address

unanticipated challenges. Please be assured that the Commission has taken this task very seriously and will continue to complete the process necessary to produce a quality report and development of an informed recommendation as called for in the legislation.

Thank you for providing the opportunity to provide this status update. Any questions pertaining to the Study or information provided herein can be directed to me as Chair of the Commission or to the Members of the Primary Zone Study Committee through contact with Linda Fiack, Executive Director at (916)776-2292 or Linda.fiack@delta.ca.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read "Don Nottoli".

Don Nottoli
Chair

Attachment: Workplan

cc: Members, Delta Stewardship Council
Members, Delta Conservancy
Secretary, California Natural Resources Agency
Members, Delta Protection Commission
Executive Director, Delta Protection Commission

Delta Protection Commission Primary Zone Study

August 23, 2010

Study Recommendations and Work Plan

This Primary Zone Study Work Plan has been developed by the consultant team to identify the status of the work completed to date, the work that is anticipated to be conducted in order to complete the study, the specific decisions that need to be made in order to continue making progress on the study, and the proposed study schedule.

Report Preparation Approach

Senate Bill X7 1 directs the Delta Protection Commission to prepare and submit to the legislature recommendations regarding the potential expansion of or change to the Primary Zone or the Delta, including recommendations on the status of: Rio Vista, Isleton, Bethel Island, Brannan-Andrus Island, Cosumnes/Mokelumne Floodway, and the San Joaquin/South Delta lowlands. During preparation of the Primary Zone Study, interested parties have recommended including areas in or excluding areas from the study that were outside of these six study area boundaries. These areas have included, but are not limited to, the unincorporated towns within the Delta, the community of Snug Harbor, industrial areas near Stockton, portions of Rio Vista, and portions of West Sacramento. In addition, interested parties have recommended excluding areas from the study that are included within one of the six study area boundaries (i.e., Stewart Tract).

Recommendation - The consultant team recommends that the Primary Zone Study specifically evaluate the six study areas identified by the Legislature. Following completion of the Primary Zone Study, the consultant team recommends that a supplemental study be prepared that evaluates those additional areas within the legal Delta identified by interested parties and that specific recommendations be prepared for the Legislature for those areas. This recommendation is based on the need to expeditiously complete the Primary Zone Study consistent with the legislative mandate to provide recommendations to the Legislature by July 1, 2010 and the need to maintain the focus of the current study.

Study Area Maps

The boundaries of the study areas identified by the Legislature are delineated on the attached maps. In interpreting the definitions of the study areas identified by the Legislature, the consulting team decided to be more inclusive, rather than less inclusive, in defining the study area boundaries. The consulting team recommends this approach in order to provide the Delta Protection Commission with the greatest discretion possible in developing boundary recommendations for the Legislature. The study area boundaries need to be finalized in order for the data collection portion of the study to be completed.

Recommendation - The consultant team recommends that the boundaries of the six study areas identified on the attached maps be adopted as the official study area boundaries for the Primary Zone Study.

Analysis Matrix Framework

One of the primary objectives of the Delta Protection Act includes protecting the key agricultural, wildlife, and recreational resources of the Delta. In addition, the Delta Protection Commission is directed by Senate Bill X7 1 to consider and plan for the economic sustainability of the Sacramento San Joaquin Delta and to consider the Delta as a Place. These objectives provide the framework for evaluating potential boundary line adjustments within the Delta.

The consultant team is proposing to use an Analysis Matrix as the framework for developing the boundary recommendations. The Analysis Matrix will use specific criteria to determine whether the key objectives identified above have the potential to be adversely affected in the future. The specific criteria to be used in this framework include flood zone designations, soil and drainage characteristics, ~~habitat types~~, agricultural quality and vitality, levee designation (project/non-project, subventions, Proposition 84/1E funded), existing land use, planned growth, availability of infrastructure, planned infrastructure, seismic conditions, presence of cultural and historical resources, public health hazards, recreational uses, applicable local and regional plans and policies, housing supply (including agriculture related), economic conditions (trends and consequences), and community/stakeholder interests.

In evaluating these criteria, the consultant team will work closely with the Committee to develop a ranking and weighting system that is appropriate for the individual resources of concern. The priority in developing this ranking and weighting system will be to ensure the information developed for this study is objective and that it can be used to determine the suitability and feasibility of boundary adjustments for the specific study areas.

Recommendation - The consultant team recommends that the Analysis Matrix approach be approved by the Primary Zone Committee as the framework for developing the boundary recommendations.

Community Outreach

Based on the community input received to date regarding this study, the consulting team believes strongly that additional community input is necessary to develop credible recommendations for the Legislature. Based on this belief, the consulting team recommends the following:

Recommendation - The consultant team recommends that four community outreach meetings ~~be held~~ in early November to receive input on the draft Primary Zone Study. The outreach meetings are proposed to be held in Isleton, Thornton, Bethel Island and Tracy or Lathrop. Additional meetings are recommended in other areas of the Delta (e.g., the north Delta for the unincorporated towns) as part of the supplemental study discussed above.

Data Collection Status

The table below identifies the status of the data collection for the Primary Zone Study.

Primary Zone Study Data Collection and Report Status					
GIS Layers	Cosumnes	Brannan/ Isleton	SJR/ South Delta	Bethel Island	Rio Vista
Study Area Boundaries	X	X	X	X	X
Aerial Photo	X	X	X	X	X
General Plan Designation	X	X	X	X	X
Parcel Boundaries	X	X	X	X	Need parcel layer
Political Boundaries, incl RD	X	X	X	X	
Roads	X	X	X	X	
Infrastructure	X	X	In progress	X	In progress
Streams/Waterbodies	X	X	X	X	X
Agricultural Use/Vitality	X	X	In progress	In progress	In progress
Soils	X	X	X	X	X
Floodplain	FEMA incomplete	FEMA incomplete	X	X	X
Levees	X	X	X	X	X
Elevation Grid	X	X	X	X	X
Cultural Resources (general)	Partial	Partial	Partial	Partial	Partial
CNDDDB	X	X	In progress	In progress	In progress
Wetlands	X	X	X	X	X
Habitat	X	In progress	In progress	In progress	In progress
Land Cover	X	X	In progress	In progress	In progress
Recreation	In progress	In progress	In progress	In progress	In progress
Field Studies					
Data Collection	X	X	-	-	-
Photos	X	X	-	-	-
Outreach					
Public Meetings	-	X	-	-	X
Individual Meetings	X	X	X	Partial	Partial
Plan Review	X	X	X	Partial	Partial
Analysis/Recommendations					
Data Sheets	X	X	-	-	-
Internal Tech Memo	In progress	In progress	In progress	In progress	In progress
Draft Report	In progress	In progress	In progress	In progress	In progress
X = Task Completed - = Task Incomplete RD = Reclamation District CNDDDB = California Natural Diversity Database					

Schedule and Work Program

The following is the schedule and work program for completion of the Primary Zone Study and development of boundary recommendations for the California Legislature.

August 23 - Present and discuss preliminary data collection results and analysis matrix framework with the Primary Zone Committee

August 26 - Present and discuss preliminary data collection results and analysis matrix framework with Delta Protection Commission

Mid September - Present and discuss preliminary data collection results and analysis matrix conclusions with the Primary Zone Committee

September 23 - Present and discuss preliminary data collection results and analysis matrix conclusions with Delta Protection Commission

Mid October - Present draft Primary Zone Study to the Primary Zone Committee.

October 28 - Present draft Primary Zone Study to the Delta Protection Commission.

First Week of November - Hold four community meetings within the study areas to receive input on the Draft Primary Zone Study.

Mid November - Present final Primary Zone Study and preliminary recommendations to the Primary Zone Committee for review and discussion.

November 18 - Present final Primary Zone Study and preliminary recommendations to the Delta Protection Commission for consideration.

Early December - Present final recommendations to the Primary Zone Committee. Revise as necessary and forward Committee recommendations to the Delta Protection Commission.

December 16 - Present final recommendations to the Delta Protection Commission for consideration and adoption. Revise as necessary and submit the recommendations to the Legislature.